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October 25, 2021
VIA E-MAIL ONLY (mcavanagh@mcdonaldhopkins.com)

Matthew Cavanagh, Esq.
McDonald Hopkins LLC
600 Superior Avenue East, Suite 2100
Cleveland, OH 44114

Re: Spectrum Laboratories LLC's Synthetic Urine Patents
Our Reference No.: AIMHIGH.0022L

Dear Mr. Cavanaugh,

This letter is in response to your latest correspondence dated October 11, 2021, written on behalf of your client, Spectrum Laboratories, LLC ("Spectrum"), and which follows up on our prior correspondence exchange with respect to the laboratory-made urine product named *XStream* marketed and sold by Aim High Investment Group, LLC ("Aim High") and Spectrum's claims that the product infringes on Spectrum's patent rights.

As we have said multiple times in the past, based on our client's knowledge of the proprietary product formula and the chemicals/ingredients that go into the *XStream* product, our client remains quite confident that the *XStream* product does not infringe upon Spectrum's patents.

After our prior correspondence earlier this year and based on your client's continuing claims of infringement and the lab reports you previously provided, our client obtained its own lab test of the *XStream* product in order to verify what it already knew to be true, namely that no biocide preservatives are present. A copy of that report (conducted by Micro Quality Labs, Inc.) is attached hereto. As you can see for yourself, this lab conducted a test for the same biocide that your lab purportedly detected (i.e., MIT - methylisothiazolinone) and found that MIT was not detected.

Spectrum's two patents – U.S. Patent No. 7,192,776 and U.S. Patent No. 9,128,105 – center around the introduction of specific biocides into a synthetic urine mixture to remove or control the presence of bacteria in the mixture in order to preserve the shelf life of the synthetic urine product. Thus, the introduction and presence of any particular biocide chemical must be at such sufficient levels where the biocide can serve the bacteria-removing functionality described in the patent. Furthermore, if an HPLC lab test like the one performed by Micro Quality Labs is not able to detect the presence of MIT, then it is indisputable that the *XStream* product does not have sufficient levels of such biocide to act as a preservative as expressly claimed by the patent.

For these reasons, Aim High maintains its position that the *XStream* product does not infringe Spectrum's patents and will not be providing any of the information requested in your letter, all of which is otherwise based on your mistaken assumption that such infringement exists, and will vigorously defend its position in court should Spectrum pursue any lawsuit for patent infringement.

Matthew Cavanagh, Esq.
McDonald Hopkins LLC
October 25, 2021

Finally, should Spectrum choose to proceed with filing a lawsuit in the face of clear evidence disputing the evidentiary basis for such action, then Spectrum clearly would be pursuing such claims in bad faith and for an improper purpose, which would undoubtedly constitute an “exceptional” case pursuant to 35 U.S.C. §285 as well as sanctionable under Rule 11 and 28 U.S.C. §1927. Should Spectrum and its counsel pursue such action nonetheless, then Aim High fully intends to seek all attorney’s fees and costs incurred in connection with fighting Spectrum’s bad faith objectively baseless patent infringement claims, including holding those of Spectrum’s principals or officers who are directly involved in these baseless, bad faith claims of patent infringement personally responsible for such fees and costs, along with seeking any appropriate sanctions against legal counsel for even bringing and maintaining such action. Aim High also reserves the right to attack the highly questionable validity of Spectrum’s patents should this matter find its way into court.

Once again (and hopefully for the final time), our client considers this matter closed.

Nothing contained in or omitted from this letter is or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or a waiver or limitation of any of our client’s rights or remedies, equitable or otherwise, all of which are specifically retained and reserved.

Very truly yours,



Ryan Gile

Encl.



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 North Las Vegas, NV 89081

ANALYTICAL/CHEMICAL CERTIFICATE OF ANALYSIS

Sample Name: XSTREAM LIQUID NOVELTY

Product Code: 1020292B

Batch/Lot: 3OZ

MQL Accession: 210202-0104

PO#: N/A

Sample Description: FG

Rush: N/A

Received Date: 02/02/21

Test Requested:	Test Method:	Specification:	Results:
CMIT/MIT	MQLTM-0456 By HPLC	Not Detected	Not Detected

Prepared By:

Annie Faris/Document Control Specialist

FEB 20 2021

02/20/21

Reviewed By:

Esmeralda Arellano/QA Reviewer

FEB 20 2021

02/20/21

The aforementioned results on this report are representative of the samples submitted and may not be indicative of the entire manufacture, batch, and/or lot. Applicable current GMP's shall always be used when sampling. GLP's shall always be practiced by Micro Quality Labs to ensure the most accurate results.

This report is submitted for the exclusive use of the person, partnership, or corporation to whom it is addressed, and neither the report nor the name of Micro Quality Labs, Inc. nor any member of its staff, may be used in connection with the advertising or sale of any product or process without written authorization from Micro Quality Labs, Inc. Failure to comply will result in immediate legal action by Micro Quality Labs, Inc.